



AMANDA+LAWRENCE

+ Via CM/ECF Filing +

September 1, 2023

The Honorable James Donato, U.S. District Judge
San Francisco Courthouse, U.S. District Court
450 Golden Gate Avenue, Courtroom 11 – 19th Floor
San Francisco, CA 94102

Re: *Klein et al. v. Meta Platforms, Inc.*
No. 3:20-cv-08570-JD (N.D. Cal.)

Dear Judge Donato:

I write on behalf of Advertiser Plaintiffs in the above-captioned matter. We seek leave from the scheduling order in this case, ECF No. 379, requesting an extension of time to serve two of our four expert reply reports, due today.

One of our experts was hospitalized with a heart condition Thursday morning. We immediately notified counsel for Meta, who have been understanding and have been working with us as we try and determine the best path forward. He remains in the hospital.

Because his report is inextricably intertwined with another report, we are requesting that report also be permitted to be served outside of the scheduling order. Plaintiffs are serving their other expert reply reports today, as contemplated by ECF No. 379.

Provided his doctor permits, we will serve the two reports within 48 hours of his release from the hospital and reschedule depositions (only if necessary; they are currently set for September 12 and September 13) as soon as practicable after he is released. Unless he remains hospitalized for an extended period, the hearings in December are not in jeopardy, though the parties may request the Court's approval to move some of the intervening deadlines. The parties already plan to submit to the Court a stipulated extension of time for the September 15, 2023 deadline due to a medical emergency involving one of Meta's experts.

Given the uncertainty of the situation and the impending holiday weekend, Advertiser Plaintiffs are alerting the Court today by letter, but anticipate filing a Civil L.R. 6-2 stipulation

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formalizing this request early next week. We are happy to provide you with additional information under seal, should Your Honor desire.

Respectfully submitted,

SCOTT+SCOTT ATTORNEYS AT LAW LLP

/s/ Amanda F. Lawrence

Amanda F. Lawrence

CC: All Counsel via ECF.